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JUL 07 2010

OFFICE OF PETITIONS

In re Patent No. 7,622,571	: DECISION ON REQUEST
Baseman et al.	: FOR
Issue Date: 11/24/2009	: RECONSIDERATION OF
Application No. 10/573909	: PATENT TERM ADJUSTMENT
Filed: 01/08/2007	: and
Atty Docket No.	: NOTICE OF INTENT TO ISSUE
9790-10	: CERTIFICATE OF CORRECTION

This is a decision on the petition filed on January 22, 2010, which is being treated as a request for reconsideration under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by four hundred thirty-nine (439) days. As clarified below, the petition will be treated as a petition requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by four hundred forty (440) days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by four hundred forty (440) days is **GRANTED to the extent indicated herein**.

The "B" delay period is 235 days, not 234 days, as indicated by patentees. This application was filed pursuant to 35 U.S.C. 371(b), and the national stage commenced on April 3, 2006. On November 24, 2009, the application issued as U.S. Patent No. 7,622,571. Thus, "B" delay is 235 days, counting the number of days beginning on April 4, 2009, the day after the date three years after the national stage commenced, and ending on November 24, 2009, the date the patent issued.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The application is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **four hundred forty (440)** days.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,622,571 B2

DATED : Nov. 24, 2009

DRAFT

INVENTOR(S) : Baseman et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 205 days.

Delete the phrase "by 205 days" and insert -- by 440 days--